



STATE BOARD of LICENSED SOCIAL WORKERS

Friday, December 9th, 2011

Second Floor Conference Room

3218 Pringle Road SE, Salem, OR 97302

Board Members Present: Cheryl Price, *Chair*
Mark Oldham, *Vice Chair*
Carol Copley Zancanella
Kittee Custer
Martha Lopez
Tania Rain

Board Counsel Present: Kyle Martin, *AIC, Oregon Dept. of Justice*

Staff Members Present: Martin Pittioni, *Executive Director*
Aaron Bales, *Investigator*
Mindy Tucker, *Senior Compliance Specialist*

1. **CALL TO ORDER:**

Chair Price called the Board Meeting to order at 9:48 a.m., and introduced new public member **Custer** of Pendleton. Board and staff members and Board counsel introduced themselves, and **Custer** briefly described her background. Board members welcomed **Custer** to the Board.

2. **REVIEW OF AGENDA:**

Chair Price asked for review of the draft agenda and requested that consideration of minutes be removed from the agenda.

- *Oldham moved to adopt and approve the agenda so amended.*
- *Rain seconded.*
- *Motion passed unanimously.*

3. **MOVE TO EXECUTIVE SESSION:**

Chair Price announced that the Board would now enter into Executive Session to conduct Board business, pursuant to ORS 162.660(2)(b)(f)(h)(i)(k). The Board entered into Executive Session at 9:53 a.m.

- *Chair Price moved the Board out of Executive Session at 4:08 p.m.*

4. **COMMITTEE REPORTS:**

1. **Zancanella** presented the Consumer Protection Committee Report:

In the matter of case #2011-44:

- i. *Zancanella moved to close the case.*
- ii. *Oldham seconded.*

iii. Motion passed unanimously.

In the matter of case #2011-51:

- i. Zancanella moved to dismiss the case for no violation of rule or law.*
- ii. Lopez seconded.*
- iii. Motion passed unanimously.*

2. Continuing Education Committee Report:

Oldham reported that the Continuing Education Committee requests Board consideration of the matter of Betty Mattson's request for 3 hours of CE for Teaching Pyramid Observation Tool (TPOT) training for preschool classrooms, waiver pursuant to. **Oldham** added that the CE committee was concerned about lack of content relevant to clinical social work practice, a criterion required by OAR 877-025-0006(2)(a)(A).

- i. Oldham moved to disapprove Mattson's request for 3 hours of CE units, pursuant to the provisions of OAR 877-025-0006(2)(a)(A).*
- ii. Zancanella seconded.*
- iii. Board members Custer, Lopez and Zancanella, Vice-Chair Oldham and Chair Price voted aye. Rain was absent.*
- iv. Motion passed.*

3. Joint Legislative and Rules Committee Report:

Chair Price requested that the report be skipped in the interest of time. Board members agreed.

5. APPROVAL OF CONSENT AGENDA:

Chair Price requested review of the Consent Agenda as presented.

- Oldham moved to adopt the Consent Agenda as presented.*
- Custer seconded.*
- Motion passed unanimously.*

6. PUBLIC COMMENT:

No member of the public was present to comment.

7. EXECUTIVE DIRECTOR'S REPORT/ BUDGET UPDATE:

Chair Price requested consent that the **Director** report be skipped in the interest of time. Board members agreed. **Pittioni** provided a handout of Board financial data through October 2011. **Pittioni** added he would provide a full 6-month (July-December 2011) financial report to the Board in February, and would be happy to answer financial questions from individual Board members at any time before then.

8. OLD BUSINESS:

Chair Price briefly reported from the ASWB 2011 Annual Meeting in Oklahoma City, including leadership elections and the outcome of the vote on the proposed bylaws change removing the necessity of ASWB member jurisdiction consent to future ASWB examination fee increases. **Price** reported that the proposed bylaws change was received majority approval but not the required two-thirds majority for a bylaws change. **Pittioni** briefly reported from the Administrator's Forum, including ASWB's commitment he obtained to work with **Pittioni** on a proposal to ASWB testing administrator Pearson Vue for better access to ASWB examinations for applicants from the Pendleton, Oregon and adjacent Walla Walla, Washington area.

Chair Price Chair Price requested that the Board Planning Meeting outcomes report be skipped in the interest of time. Board members agreed.

9. **NEW BUSINESS:**

1. Proposed Permanent Rules. **Chair Price** asked **Vice Chair Oldham** to take the Board through the final steps of the rulemaking process. **Oldham** reported that no one had shown up at the Board's rulemaking hearing at 8 a.m. in the morning, reflecting the uncontroversial nature of the Board's proposed rules. **Oldham** reminded the Board the Board's Rules Advisory Committee had previously provided feedback that the Board had done a good job with its temporary rules which are now proposed to be made permanent. **Oldham** reported that the only substantive written comment received raised questions about the Board's approach to out-of-state applicants for LCSW licensure who are already licensed at the LCSW-equivalent level in other states. **Pittioni** provided a brief review of clarifying information he had provided in response. **Oldham** explained that he would ask the Board based on the rulemaking record to adopt the temporary rules of the Board as permanent, as proposed in the Board's Notice of Rulemaking Hearing dated October 14, 2011, with two additional technical corrections. **Oldham** referred Board members to an e-mail from **Pittioni** dated October 27, 2011, attaching a document detailing the two technical fixes. **Oldham** added that the citation fix was to occur in OAR 877-015-0108(8). **Oldham** further explained that 877-020-0008(5)(b) was proposed to be edited, initially at the suggestion of **Outland**, a member of the Board's Rules Advisory Committee, to reflect the recent content changes in the national clinical exam appropriately in Board rule.

- *Oldham moved that the Board approve and adopt the Board's rules as proposed in the Board's Notice of Rulemaking Hearing dated October 14, 2011, with additional edits as outlined in the e-mail from Pittioni dated October 27, 2011.*
- *Custer seconded.*
- *Motion passed unanimously.*

Board members directed **Pittioni** to file the adopted rules prior to December 31, 2011, the date of the expiration of the Board's temporary rules. **Pittioni** reminded the Board that the effective date of the new permanent rules would not be the date of the Board's adoption but the date on which the rules will be filed. **Pittioni** assured the Board this would occur no later than Friday, December 30, 2011.

2. Committee Appointments. **Chair Price** requested that the Board review her draft of new board committee appointments reflecting the full Board not operating as the Consumer Protection Committee (CPC) effective January 2012, and the addition of **Custer** to the Board. Board members reviewed and discussed the committee structure proposal.

- *Oldham moved that the Board approve the Board committee appointments with the amendment of substituting Lopez for Rain on the Continuing Education Committee.*
- *Custer seconded.*
- *Motion passed unanimously.*

3. Delegation of Authority. **Chair Price** requested that the Board review and approve the Delegation of Authority document containing a non-exclusive list of delegations of Board authority to Board committees, staff, and the Executive Director.

- *Oldham moved that the Board approve the Delegation of Authority document as presented.*
- *Zancanella seconded.*
- *Motion passed unanimously.*

A copy of the Delegation of Authority document as approved is attached hereto and incorporated herein by reference.

10. CORRESPONDENCE:

Pittioni briefly reviewed three correspondence items with Board members: from Portland State University regarding student use of the title "MSWc;" from ASWB regarding test centers, and from the Oregon Medical Board to all health regulatory boards. No Board response was directed in any of the three matters.

11. REVIEW AND DISCUSSION OF APPLICANT FILES (Special reviews):

1. **Vice Chair Oldham** requested review of the ADA accommodation application for ASWB examination of **Darian Slayton-Fleming**. **Pittioni** briefly discussed the application, and advised the Board he had confirmed with ASWB to ensure the requested accommodations reflecting the medical diagnosis of the applicant could be provided by ASWB.

- *Oldham moved to approve the application of Darian Slayton-Fleming for ADA accommodations as presented.*
- *Custer seconded.*
- *Board members Custer, Lopez, Rain and Zancanella, and Vice Chair Oldham voted aye. Chair Price was absent.*

2. **Vice Chair Oldham** requested review of the application of **Veronica Lim** for ADA accommodations for the ASWB examination. **Pittioni** briefly discussed the application.

- *Custer moved to approve the application of Veronica Lim for ADA accommodations for 30 minutes of extra time for snack and rest room breaks.*
- *Rain seconded.*
- *Motion passed unanimously.*

3. **Chair Price** requested that the Board review **Masami Marson's** ESL application for the ASWB examination. **Pittioni** briefly discussed the application.

- *Oldham moved to approve the application of Masami Marson for ESL accommodation to provide two dictionaries and one hour of extra time.*
- *Rain seconded.*
- *Motion passed unanimously.*

4. **Chair Price** requested that the Board review the application of **Parizad Karnik** to return to active status. **Pittioni** briefly discussed the application.

- *Custer moved to approve the application of Parizad Karnik to return to active status, conditional upon submission of 30 hours of CE prior to issuance of an active LCSW license.*

- *Oldham seconded.*
 - *Motion passed unanimously.*
5. **Chair Price** requested that the Board review the application of **Margaret Farra** to return to active status. **Pittioni** briefly discussed the application.
- *Oldham moved to approve the application of Margaret Farra to return to active status, conditional upon submission of 20 hours of additional CE prior to issuance of an active LCSW license, and clinical supervision after active license issuance for one year, with supervision to occur twice a month for a minimum of one hour each, and two six month reports from the clinical supervisor.*
 - *Custer seconded.*
 - *Motion passed unanimously.*
6. **Chair Price** requested that the Board review the application of **Wendy Heinz** to return to active status. **Pittioni** briefly discussed the application.
- *Oldham moved to approve the application of Wendy Heinz to return to active status, conditional upon submission of 40 hours of CE prior to issuance of an active LCSW license, and clinical supervision for one year after active license issuance, with supervision to occur once a month for a minimum of one hour.*
 - *Custer seconded.*
 - *Motion passed unanimously.*
12. **ANNOUNCEMENT AND ADJOURNMENT:**
Chair Price announced that the Board would conduct a conference call on December 21, 2011 at 3:30 p.m. for about 90 minutes with mostly executive session work on compliance cases.

Chair Price adjourned the Board meeting at 5:35 p.m.

Respectfully submitted,



Martin Pittioni
Executive Director



Board of Licensed Social Workers - Delegation of Authority

12/9/2011

This document is a list of Board duties delegated by the Board to Board committees or to Board staff. This is not an exclusive list.

I. Delegation of Authority to the Consumer Protection Committee

The following tasks and functions are delegated by the Board of Licensed Social Workers (Board) to the Consumer Protection Committee (CPC) of the Board:

1. Review of compliance staff report of new complaints received and opened
2. Initiate complaints investigating any violations of ORS 675.510 to 675.600 on behalf of the Board
3. Review of index of cases and compliance statistics provided by compliance staff
4. Review and discussion of investigation reports presented by compliance staff
5. Direction as necessary to compliance staff in response to requests for guidance and investigation reports presented
6. Development of Recommendations to the full Board for case closure, case dismissal or disciplinary action,
7. Review and Approval of Required Disciplinary Reports from Licensees on Probation
8. Approval of Requests for Evaluation of Impairment as defined in ORS 676.303(1)(b)
9. Develop and Issue confidential proposals for settlement at any stage in the investigation or contested case phase. Any such settlement proposals or negotiations entered into by the CPC are subject to and conditional upon final approval from the full Board.
10. Review of criminal background check results for purposes of determining whether the results warrant initiation of a complaint or application investigation. The CPC may approve criteria for further delegation of this authority to the Executive Director.
11. Approval of second (or subsequent) requests for extensions of time to respond.
12. Approval of Disclosure of Confidential Information under ORS 676.177.

II. Delegation of Authority to the Rules Committee

The following tasks and functions are delegated by the Board of Licensed Social Workers (Board) to the Rules Committee (RC) of the Board:

1. Review of any Board rules for modification and any staff requests to that effect, and drafting of proposed amendment to Board rules.
2. Development of any draft rules text for standards of practice.
3. Make recommendations to the full Board regarding any aspect of the rulemaking process (notices, draft proposed rules, amendments to proposed rules, rulemaking schedule)
4. The Rules Committee Chair (RCC) convenes and chairs the Rules Advisory Committee of the Board, and reports RAVC recommendations back to the full Board. The RCC may delegate this function to another member of the Rules Committee of the Board, or the Board's Executive Director
5. Supervise the execution of the Rules Coordinator and Rulemaking Authority function of the Executive Director.

III. Delegation of Authority to the Legislative Committee

The following tasks and functions are delegated by the Board to the Legislative Committee (LC) of the Board:

1. Development, drafting and recommendation of Board legislative concepts to the full Board.
2. Recommend to the full Board formal positions on proposed legislation affecting the Board.
3. Develop and adopt positions on legislation affecting the Board, including amendments to such proposed legislation. The members of the LC and the Executive Director may describe positions of the LC to outside stakeholders as positions of the LC of the Board (not Board positions). Any positions taken by the LC shall be communicated to the full Board within 2 business days, and be reviewed at the next regularly scheduled Board meeting after the LC has established a position.
4. A quorum of the LC may request a conference call of the Board be scheduled for the purpose of obtaining a formal Board position on proposed legislation.

IV. Delegation of Authority to the Continuing Education Committee

The following tasks and functions are delegated by the Board to the Continuing Education Committee (CEC) of the Board:

1. Review and approval of requests for approval of continuing education (CE) credit submitted under OAR 877-025-0006 (2), (5) and (6), including requests for additional information from applicants for CE credit
2. Recommend denials of CE credit to the full Board.
3. Recommend CE-related rule changes to the Rules Committee and full Board
4. Review applications for, and recommend to the Board approvals or denials of, CE credentialing bodies

V. Delegation of Authority to Board staff

The following licensing and compliance tasks are delegated by the Board to Board staff or solely to the Executive Director as indicated. The Executive Director is operationally responsible that appropriate staff fulfill these delegated tasks within applicable laws, rules and Board policies:

1. Review and processing of all Board applications for renewal and initial licensure
2. Conduct and administer criminal background checks as necessary for licensure and certification
3. Submission for final approval by the Board or interim approval by the Board Chair, completed applications for new licensure or certification, licensure or certification re-activations, and plan completions and plan changes pertaining to Clinical Social Work Associates (CSWAs).
4. Issuance of new (initial) licenses after Board or interim approval of the Board Chair
5. Issuance of licensure or certification renewals
6. Provision of licensure verifications
7. Authorize applicants for licensure or certification to sit for national ASWB examinations, including extensions of authorizations, except authorizations to sit after the second failed examination attempt for the same level of examination.
8. Review and approve applications for transition to inactive status for placement on the Consent Agenda of the Board, except for applicants under investigation.
9. Approve applications for return to active status for placement on the Consent Agenda of the Board, if the applicant has been inactive for less than two years, and is not under investigation.
10. Initiation of Board complaints based on complaints received, or based on data submitted on applications for licensure / certification (including renewals), or data received from criminal background checks
11. Investigation of complaints of unethical conduct, unlicensed practice, or impairment, and investigation of applications for new licensure or renewal, and presentation of investigation reports to the CPC and the full Board as necessary
12. Present recommendations for Orders of Evaluation or Disciplinary Action including settlement proposals to the CPC
13. Execute directives from CPC or the full Board with respect to issuance of settlements, Notices and Orders of the Board.
14. Assist Board counsel as necessary in all aspects of the contested case process for Board cases
15. Report final Board actions on the Board's web site and report all reportable Board actions to ASWB, and required federal databases, including authorization to enter into contractual relationship with ASWB to report Board actions reported to ASWB to the federal government NPDB/HIPDB databases.
16. Perform random continuing education audits on a Board-determined percentage of license renewals (currently 20%)
17. Maintain and publish a list of persons authorized to practice regulated social work, as required by ORS 675.600(2).
18. Provide information to the public regarding the procedure for filing a complaint.

19. The following powers are delegated to the Board's Executive Director:
- a. Operational and contractual responsibility for all aspects of Board operations including but not limited to employee recruitment, oversight, retention and discipline, hiring and dismissal of contract or temporary workers, in accordance with Department of Administrative Services (DAS) policies and other applicable laws and rules.
 - b. Managerial oversight over accounting and payroll, in coordination with accordance with applicable DAS policies and DAS staff contractually supporting this Board function. supporting this Board function
 - c. Responsibility for all financial matters relative to the operation of the Board with the exception of approving the Boards operating budget, approval of any facility leases or facility lease amendments. This authority includes authorization of Board expenditures in conformance with the Board's approved budget in accordance with applicable DAS rules and policies.
 - d. Execute and sign any settlement proposals, Notices, Stipulated Orders, Final Orders or other Orders or legal documents approved by the Board.
 - e. Approve applications for ESL accommodations for the ASWB examinations for placement on the Consent Agenda of the Board
 - f. Approve applications for ADA accommodations for ASWB examinations, if accompanied by appropriate medical documentation, for placement on the Consent Agenda of the Board.

Delegation Approved/Disapproved by vote of
the Board taken in public session on December 9,
2011.

Cheryl Price, LCSW #1416

Cheryl Price, LCSW
Board Chair

State Board of Licensed Social Workers

December 9, 2011

APPROVED - CONSENT AGENDA

(with amendments
on page 2)

**NEW LCSW
APPLICATIONS (10)**

*JAN ALEXANDER
*MONICA ANDREWS
*ALISE CAMPBELL
*DEBORAH DEYHLE
*ROBIN FRIEDMAN
*MEGAN FURNISH
*HOLLY MOORE-LOHMANN
*STACEY SIMMONS
*ANDREA VANCE
*CORRIE HINDMAN

**NEW CSWA
APPLICATIONS (23)**

STEPHEN ARNOLD
ALEXANDER BRITO
MIKI DARBY
TRACY MARSDEN
MELANIE SWALLOW
ERIN ROSENFELD
*NORAH AL-WETAID
*JEFF DANZIK
*ERIN DOUGHERTY
*BOBBO MCMURPH
*CURTIS PETERSON
*EMILY PRAY
*RAINA WICKHAM
*ANDREA COSBY
*NOEL CHANEY
*LORI CHARLISH
*MACI ELKINS
*RUTH EXLEY
*MARIEL GRIMORD-ISLAM
*ANNA KOBLISKA-BECKER
*MICHEL RIGGS
*ASHA WELLS
*VANDA YOCUM

**CSWA
PLAN CHANGES (25)**

LINDA BROWN
MELODY COFFEY
SHARON CROSBY
MARGARET MANNING
CARLY MOE
CHLOE VAUGHN
GRANGER WILLIAMS
*HEATHER BALDUCCI
*SARA BOOTH
*CAITLIN CASSADY
*ANDREW DELGADO
*LEE DEL PRIORE
*AMALIA GREENE
*RITA KEEGAN
*ELAINE KNAPP
*SARAH MARBLE
*DANA MOLINARI
*DANA OTTO
*MIRIAM PARKER
*ALEKSANDR PEIKRISHIVLI
*MARLA SAMUEL
*JILL VACHTER
*JENELLE VERNIER
*LAURA WILSON
*ANYA VALSAMAKIS

**NEW RBSW
APPLICATIONS (1)**

*HEATHER KNAPP

**NEW LMSW
APPLICATIONS (4)**

*LANA BREWER
*PAULINE JIVANJEE
*MARILYN SEARS
*NICOLE SHORTER

**CSWA PLAN
COMPLETIONS (12)**

MARGARET SOUKUP
FERN SNOGREN
MELANIE LOREE
*CHERI ARMSTRONG
*ALLEN BROWN
*ESTHER KIM
*MATTHEW KAI ROLLER
*ROBIN SEBASTIANI
*AMANDA SIEGAL
*MARIA VALDEZ-HENSHAW
*LAURA WILSON
*BRIAN GODEY

**CONSUMER PROTECTION
CASES: (20)**

**ORS 676.165(4) Extension
Approval for the following**

2009-34	2011-08	2011-20
2010-41	2011-09	2011-26
2010-46	2011-10	2011-27
2010-50	2011-11	2011-29
2010-55	2011-13	2011-30
2011-03	2011-15	2011-32 2
2011-07	2011-16	

+ 2011-06

**APPROVED (0)
CONTINUING EDUCATION**

**REQUEST TO
REACTIVATE LICENSE**

All individuals listed in the above categories have met the necessary requirements for approval by the Board of Licensed Social Workers Consent Agenda.

*Denotes Interim Approvals by the Board Chair, as ratified by the full Board, during the 12/9/11 Board meeting.


Board Executive Director

12/9/2011
Date